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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 003176

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SUBJECT: NEPAL GOVERNMENT SLOW TO ADDRESS IDP PROBLEM

Classified By: Ambassador James F. Moriarty for reasons 1.4 (b/d).

Summary

1. (SBU) The Maoist insurgency in Nepal has created significant population displacement, although the scope of the problem and location of internally displaced persons (IDPs) have been difficult to assess due to social stigmatization, lack of material assistance and Nepal's open border with India. UN officials are working with the Government of Nepal (GON) to re-formulate its IDP policy to meet international standards, as well as to include IDP advocacy groups and Maoists, to ensure successful implementation. The UN launched a publicity campaign December 4 to raise community-level awareness of this problem and to encourage a safe and dignified return of IDPs to their homes. With implementation of the Comprehensive Peace Agreement, many IDPs likely are eager to return home. Post is looking for ways the USG can assist with this humanitarian issue.

Reasons for and Scope of the IDP Problem

2. (SBU) The decade long conflict in Nepal has caused significant population displacement, although the magnitude of the problem has been difficult to assess for several reasons. Most displacement has been created through Maoist threat and intimidation, although actions by government security forces have also contributed to the problem. A UN study conducted in May 2006 identified the major reasons for internal displacement in Nepal as follows:

-- Consideration either by the Maoists or the security forces as being an "enemy collaborator."

-- Inability to pay Maoist extortion demands.

-- Maoist forcible recruitment or pressure to ally with the Maoist movement.

-- Community-based discrimination based on ethnicity or religious association.

-- Maoist interference in the education system through threats, abductions and school closures.

-- Maoist pressure against those involved in political or government activities at a local level.

13. (C) According to Home Ministry officials, 19,000 people are registered as IDPs in Nepal. However, both the GON and UN estimate that between 100,000 - 200,000 persons have been displaced as a result of the conflict. On December 6, the UN Senior Advisor for the Internally Displaced, Bjorn Pettersson, explained that the problem of IDPs in Nepal was difficult to assess because displaced persons were reluctant to come forward and register with local government officials due to the social stigma associated with being an IDP. According to the UN May 2006 study, the first wave of IDPs in Nepal was composed largely of political party leaders and wealthy landowners whom the Maoists had targeted and labeled as "political criminals" or "anti-revolutionaries." As a result, the term IDP is often associated with "wrong doing" at the local level. (Comment: While political party cadre and landowners were certainly targeted by Maoists, by far the majority of IDPs are average Nepalese, not landlords or party bosses, with virtually no family or financial support outside their communities. Post questions the UN assertion that a real social stigma is the principal factor impeding IDP registration and return. Local Maoist refusal to accept those displaced back into the community is a more likely cause. End Comment.) Pettersson said that in addition to the social stigma, the absence of material assistance or government services for IDPs had discouraged individuals from identifying themselves as such. Nepal's open border has allowed people who would otherwise be classified as IDPs to

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flee quietly to India, he added.

GON Policy Remains Inadequate, Non-Inclusive

14. (C) According to Pettersson, the GON had established a "Task Force on the Internally Displaced" to re-examine and re-formulate its IDP policy. Despite previous consultations with the UN, the current policy, adopted in March 2006, failed to adequately define IDPs. (Note: The current definition of an IDP includes only those who are victims of Maoist attack. End Note.) The term IDP did not include Nepalese who: 1) were displaced by the security forces; 2) were displaced as a result of threats and intimidation; and 3) had family or landholdings elsewhere. Although the most recent draft of the policy redresses these problems, Pettersson was concerned that the GON's failure to include IDP advocacy groups and Maoists in the policy formulation process would result in poor implementation. Without Maoist participation in policy formulation, Pettersson feared that social stigmatization of IDPs would continue at the local level and reduce the likelihood of successful reintegration into their communities.

15. (C) Pettersson noted that he was also working with the Task Force to ensure that IDPs would not be required to appear before public bodies or to make public statements explaining the reasons for their displacement. The GON policy needed to provide adequate compensation for personal property loss. It is critical that IDPs be able to make claims of restitution without fear of retribution, Pettersson said.

UN Launches IDP Publicity Campaign

16. (U) On December 4, the UN launched a three-week publicity campaign to raise community-level awareness of internally displaced persons (IDPs) in Nepal. With 60-second spots in local vernacular television and radio, the UN hoped to reduce

the social stigma associated with IDPs and to encourage the right of all IDPs to voluntarily return in safety and dignity to their homes. The campaign, coordinated by the Office of the High Commissioner for Human Rights (OHCHR), United Nations High Commissioner for Refugees (UNHCR) and the Office for the Coordination of Humanitarian Affairs (OCHA), encourages the political parties and Maoists to work together to adopt and implement an IDP policy in Nepal.

Comment

17. (C) Now that the Comprehensive Peace Agreement has been signed, many Nepalese displaced by the conflict will be interested in returning home. Unfortunately, many will find their homes emptied or destroyed and lands either uncultivated or occupied by others. Moreover, continued Maoist atrocities will prevent the safe and dignified return of IDPs. A GON policy on IDPs will be a useful tool only if it is accompanied by genuine Maoist support for the safe return of IDPs. Local-level Maoists must be co-opted and held accountable in this effort in order to prevent IDPs from being displaced for a second time. Responsibility for compensating IDPs for property loss, which was primarily, but not solely, caused by Maoist forces, should not fall only on the Nepal Government. While the UN is encouraging inclusion of Maoists in IDP policy formulation, it does not appear to have addressed whether it expects Maoists to be held responsible in this regard. Without a proper assessment of the numbers and location of IDPs, it will be difficult to channel donor assistance to where it is needed most. Post will look for ways the USG can assist in this effort.

MORIARTY